UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/840,954
Filing Date: April 24, 2001
Appellant(s): ZHU ET AL.

John L. Rogitz
Reg. No. 33,549
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 07 October 2005 appealing from the Office action

mailed 16 September 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The following are the related appeals, interferences, and judicial proceedings known to the examiner which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal:

09/840,328

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,065,120	LAURSEN	5-2000
6,587,680	ALA-LAURILA	7-2003
6,098,093	BAYEH	8-2000

| 6,549,625 | RAUTILA | 4-2003 |
| 6,070,070 | LADUE | 5-2000 |

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-5, 8, 9, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Laursen, U.S. Patent No. 6,065,120, in view of Ala-Laurila, U.S. Patent No. 6,587,680.

Referring to claim 1, Laursen discloses mobile authentication system wherein a plurality of

mobile client devices are in communication with a plurality of servers over a wireless network

(Figure 1 & Col. 6, lines 5-18). The servers can be either host servers or link servers (Col. 13,

lines 19-20), which meets the limitation of plural link terminals communicating with plural client

devices. The host servers can be web servers that provide access to information stored thereon

using HTTP protocols (Col. 6, lines 15-18), which meets the limitation of at least one network

operation center including at least one application component. To establish a secured

communication between a client device and a server a mutual authentication process is

conducted between the two (Col. 9, lines 33-35). First a session request packet is transmitted

from the client device to the server (Col. 9, lines 55-64). The session request packet contains a

session ID, a device ID, and an IP address (Col. 9, line 65 – Col. 10, line 18), which meets the

limitation of receiving IP packets therefrom in respective sessions, at least some IP packets being

associated with informaiton, the information being unique to the session, the informaiton

including one session name. Once received at the server the session request is decrypted using an

encryption key and a session key is generated (Col. 11, lines 9-15), which meets the limitation of

each session being associated with a unique shared secret between a client device and a link

terminal communicating therewith. When the server receives the session request, it strips the

session ID and creates a new session ID (Col. 10, lines 1-4, 65-67 & Col. 11, lines 54-57), which

meets the limitation of logic at a local link terminal for stripping the session name from messages

from a client device. Laursen acknowledges the mobility of such wireless client devices but does

discuss how the network handles handover (Col. 1, lines 39-50). Ala-Laurila discloses an IP

based wireless network that provides multiple access points, at different locations, to the client

device to communicate (Col. 1, lines 34-55). It would have been obvious to one of ordinary skill

in the art at the time the invention was made for the link servers in Laursen's mobile

authentication system to be located at different geographic locations in order to provide

uninterrupted communications as taught in Ala-Laurila (Col. 1, lines 48-54).

Referring to claim 2, Laursen discloses that link server is coupled to a database (Figure

2B), which meets the limitation of a respective data center incorporating each link terminal.

Referring to claims 3, 29, Laursen discloses that once received at the server the session

request is decrypted using an encryption key and a session key is generated (Col. 11, lines 9-15),

which meets the limitation of logic at at least one local link terminal for generating the shared

secret.

Referring to claims 4, 29, Laursen discloses that the link server generates the session ID

(Col. 10, lines 63-67).

Referring to claim 5, Laursen discloses that there is a host server coupled to the link

server and database (Figure 2B).

Referring to claim 8, Laursen discloses that the wireless client devices have an antenna

and IP transceiver (Figure 1).

Referring to claim 9, Laursen discloses that the communication network uses schemes

such as CDMA and TDMA (Col. 6, lines 2-3), which would meet the limitation of data

transmission rate in excess of one megabyte per second.

Claims 7, 10, 12-20, 22-25, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Laursen, in view of Ali-Laurila, as applied to claim 1, and further in view of Bayeh, U.S.

Patent No. 6,098,093 as applied to claim 1 above, and further in view of Rautila, U.S. Patent No.

6,549,625. Referring to claims 7, 10, 13, 16, 18, 23, 24, Laursen discloses mobile authentication

system wherein a plurality of mobile client devices are in communication with a plurality of

servers over a wireless network (Figure 1 & Col. 6, lines 5-18). The servers can be either host

servers or link servers (Col. 13, lines 19-20), which meets the limitation of plural link terminals

communicating with plural client devices. The host servers can be web servers that provide

access to information stored thereon using HTTP protocols (Col. 6, lines 15-18), which meets the

limitation of at least one network operation center including at least one application component.

To establish a secured communication between a client device and a server a mutual

authentication process is conducted between the two (Col. 9, lines 33-35). First a session request

packet is transmitted from the client device to the server (Col. 9, lines 55-64). The session

request packet contains a session ID, a device ID, and an IP address (Col. 9, line 65 – Col. 10,

line 18), which meets the limitation of receiving IP packets therefrom in respective sessions, at

least some IP packets being associated with informaiton, the information being unique to the

session, the informaiton including one session name. Once received at the server the session

request is decrypted using an encryption key and a session key is generated (Col. 11, lines 9-15),

which meets the limitation of each session being associated with a unique shared secret between

a client device and a link terminal communicating therewith. When the server receives the

session request, it strips the session ID and creates a new session ID (Col. 10, lines 1-4, 65-67 &

Col. 11, lines 54-57), which meets the limitation of logic at a local link terminal for stripping the

session name from messages from a client device. Ala-Laurila discloses an IP based wireless

network that provides multiple access points, at different locations, to the client device to

communicate (Col. 1, lines 34-55). Laursen does not disclose location-based services being

provided by the system. Rautila discloses a wireless communication system wherein location

based services are provided to a wireless terminal or device (Col. 2, lines 13-18). It would have

been obvious to one of ordinary skill in the art at the time the invention was made to provide

location based services in the wireless network of Laursen in order to provide subscribers with

important information about their current location as taught in Rautila (Col. 1, line 34-65).

Referring to claims 12, 22, Laursen discloses that the communication network uses

schemes such as CDMA and TDMA (Col. 6, lines 2-3), which would meet the limitation of data

transmission rate in excess of one megabyte per second.

Referring to claims 14, 19, 20, 25, 30, Laursen discloses that once received at the server

the session request is decrypted using an encryption key and a session key is generated (Col. 11,

lines 9-15), which meets the limitation of logic at at least one local link terminal for generating

the shared secret. Laursen discloses that the link server generates the session ID (Col. 10, lines

63-67).

Referring to claim 15, Laursen discloses that when the server receives the session

request, it strips the session ID and creates a new session ID (Col. 10, lines 1-4, 65-67 & Col. 11,

lines 54-57), which meets the limitation of logic at a local link terminal for stripping the session

name from messages from a client device.

Referring to claim 17, Laursen discloses that the wireless client devices have an antenna

and IP transceiver (Figure 1).

Claims 26, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laursen, in

view of Ali-Laurila, in view of Bayeh, U.S. Patent No. 6,098,093, in view of Rautila, U.S. Patent

No. 6,549,625, as applied to claim 18, further in view of Ladue, U.S. Patent No. 6,070,070.

Referring to claims 26, 28, Laursen does not disclose using accounting procedures to bill the user

for the amount of packets provided. Ladue discloses a cellular phone switching system wherein

the billing information is measured by the amount of packets transmitted (Col. 25, line 66 - Col.

26, line 34). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use the accounting procedures of Ladue in the IP based wireless network

of Ali-Laurila in order to provide anti-fraud protection as taught in Ladue (Col. 26, lines 39-44).

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Laursen, in view of Ali-

Laurila, in view of Bayeh, U.S. Patent No. 6,098,093, as applied to claim 1, further in view of

Ladue, U.S. Patent No. 6,070,070. Referring to claim 27, Laursen does not disclose using

accounting procedures to bill the user for the amount of packets provided. Ladue discloses a

cellular phone switching system wherein the billing information is measured by the amount of

packets transmitted (Col. 25, line 66 - Col. 26, line 34). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to use the accounting procedures of

Ladue in the IP based wireless network of Ali-Laurila in order to provide anti-fraud protection as

taught in Ladue (Col. 26, lines 39-44).

(10) Response to Argument

Appellant argues that "none of the relied-upon portions of the new primary reference say anything about stripping anything from anything, much less stripping a session name from messages *from a client device* (Claim 1, e.g. – the name of the game is the claim)." Appellant's specification never clearly defines "stripping", but page 9 of the specification suggests removal of the session name.

Laursen discloses removal of a session ID, which can be considered a session name, from messages originating from client devices. In Laursen, a client device (e.g. cellular phone) initiates a session request to be sent to a server by creating a client proto-session (Col. 9, lines 55-64). This client proto-session is a data structure that gets initialized when a session creation starts (Col. 9, lines 64-65). When initialized, the client proto-session has a session ID (or session name) of 0 (Col. 10, lines 1-3). Upon receiving the session request from the client, the server creates a server proto session for the client (Col. 10, lines 63-64), which includes the information in the received session request (Col. 11, lines 5-7). So the session request message is maintained when the server creates the session reply for the client (Col. 11, lines 43-47). This session reply has a different session ID than that of the session request (Col. 11, lines 48-57). The session ID of the session reply is designed to be more specific than the session ID that was initially used (Col. 11, lines 48-49). The session ID can include an indication bit, which identifies the type of session (Col. 11, lines 48-54), and a session key that was generated by the server after the server received the session request (Col. 11, lines 10-12, 55-57). Therefore, the session ID that was initially "0" has been effectively removed by the server, because the session request information

was maintained for the reply message (Col. 11, lines 5-7), and replaced with a new session ID

(Col. 11, lines 48-57).

Appellant contends that "*no* session ID is ever removed from its message, much less is

the session ID in the session request from the client ever removed from the session request

message as independent claims 1 and 18 and dependent Claim 15 otherwise would require." This

argument is not persuasive because, as discussed above, the initial session ID of "0" is

effectively removed from the session request message. The information from the session request

message is maintained in the session reply (Col. 11, lines 5-7, 43-47). To further evidence this

notion, Laursen discusses that when the client receives the session reply from the server, the

client compares the nonce found in the session reply with the nonce the client transmitted in the

session request (Col. 12, lines 11-28). This shows that the session request message is maintained

by the server to create the session reply by removing and replacing the initial session ID of "0"

with a session ID that is more specific (Col. 11, lines 48-57) and adding additional information.

Applicant argues that "the position transmitted by the mobile device in the cited reference

(Rautila) is not its own position, but rather that of the position transceiver." This argument is not

persuasive because Rautila discloses that "location of a user controls the accessing of an

information source, such as a server based service," (Col. 1, lines 28-30) and "These systems

may use a GPS receiver or a mobile telephone to provide the user's location to a system to

control accessing of the information source which is particular to the users location" (Col. 1,

lines 30-33). Rautila discusses the tracking of users, using mobile phones, to provide services to

the user based on that users location (Col. 1, lines 34-47). Therefore, Rautila discloses "tracking"

and then using the location of the mobile device to access services. Appellant discussion of the

position transmission with respect to the position transceiver (in Rautila) is not what is being

suggested as motivating. From the Office Action mailed 16 September 2005:

> It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide location based services in the wireless network of Laursen in order to provide subscribers with important information about their current location as taught in Rautila (Col. 1, line 34-65).

It is noted that Appellant has not specifically argued the rejections of claims 26-28.

Applicant's argument with respect to the §112, second paragraph rejection of claim 1 is

persuasive. The rejection is hereby withdrawn.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

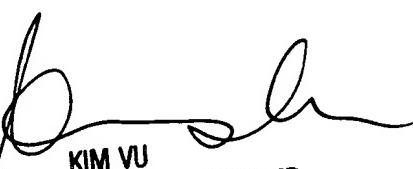Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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Conferees:

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